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STALLMAN & POLLOCK LLP SUITE 2200 353 SACRAMENTO STREET SAN FRANCISCO, CA 94111			NGUYEN, THU HA T	
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			2155	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/641,082

Applicant(s)

DILSAVER ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☒ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims **1-59** are presented for examination.

**Response to Arguments**

2. Applicant's arguments filed April 20, 2004 have been fully considered but they are not persuasive because of the following reasons:

3. Applicant(s) request Examiner to provide a copy of the underlying parent application from which the Laurin reference is a CIP. In response to Applicant's request, Examiner provides the parent application and provisional application (herein along with the office action) of Laurin's reference and noted that the parent application and provisional application of Laurin does teach and support all the limitations that discloses and applies in the citations of the rejection action as well as in the CIP Laurin application.

4. Applicant(s) argue that Laurin does not teach and disclose a mechanism for viewing said suggestions to allow peer viewing and/or comment before a final decision is made regarding the suggestions. In response to applicant's argument, examiner asserts that Laurin does teach a mechanism for viewing said suggestions to allow peer viewing and/or comment before a final decision is made regarding the suggestions as shown in figures 3, 9-12, paragraphs 0002, 0040.

5. Applicant(s) argue that Laurin does not teach means for allowing any of said suggestions to be linked to any other of said suggestions. In response to Applicant's argument, examiner asserts that Laurin does teach means for allowing any

of said suggestions to be linked to any other of said suggestions as shown in paragraphs 0055-0056.

6. Applicant(s) argue Laurin fails to disclose a mechanism for allowing peers to comment on a suggestion or to link to another suggestions. In response to Applicant's argument, examiner asserts that Laurin does teach a mechanism for allowing peers to comment on a suggestion or to link to another suggestions as shown in as shown in figures 3, 9-12, paragraphs 0002, 0040, 0055-0056.

7. Applicant(s) argue that Schloss does not teach a mechanism for allowing peers to comment on a suggestion or to link to another suggestions. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

8. In response to applicant's argument that Schloss is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the reason to combine the teachings of Laurin and Schloss to have a statistics module that reports cumulative submissions and a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that can control and keep

track the number of submissions for rating, suggest or idea to improve the business, company or provider.

9. Applicant(s) argue that neither Laurin nor Schloss teach a point of entry for viewing previously submitted suggestions and allowing a comment to be added to at least one of said previously submitted suggestions in lieu of a submission of a new suggestion. In response to applicant's argument, examiner asserts that Laurin implicitly teaches the user and reviewer can view the idea log from that user and the other users and or evaluators, implementers (paragraphs 0040, 0051-0054). The user can retrieve the idea and continue working on and develop the idea. If the idea is being implemented, the implementation is based on the user's proposal submission and any addition suggestions/comments from other users and/or evaluators, decision makers implementers that equivalent to the step of viewing previously submitted and allowing a comment to be added to at least one of said previously submitted suggestions in lieu of a submission of a new suggestion as disclosed in the applicant's specification. A person of ordinary skill in the art would have recognized that **Laurin** performs the same function in substantially the same way to reach substantially the same result.

10. As a result, cited prior arts do disclose a system and method for s for receiving and processing suggestions, as broadly claimed by the Applicant(s). Applicant(s) clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

11. Therefore, the examiner asserts that cited prior arts teach or suggest the subject matter broadly recited in independent claims 1-2, 14, 34, and 37-40. Claims 3-

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13, 15-33, 35-36, 41-59 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action.

Accordingly, claims 1-59 are rejected.

### **Claim Rejections - 35 USC § 102**

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C.

§ 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 2-8, 10-12, 37 and 39 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Laurin et al.**, (hereinafter Laurin) U.S. Publication No. **US 2002/0107722**.

14. As to claim 2, **Laurin** teaches the invention as claimed, including an apparatus for receiving and processing suggestions, comprising:

a central portal for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

a plurality of innovation zones within said receiving party to which said suggestions can be routed (abstract, figures 1-2, 4, paragraphs 00050010, 0032-0036);

a mechanism that routes said suggestions to one or more of said innovation zones in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041) and

a mechanism for viewing said suggestions to allow peer viewing and/or comment before a final decision is made regarding the suggestions (figures 3, 9-12, paragraphs 0002, 0040).

15. As to claim 3, **Laurin** teaches the invention as claimed, further comprising: at least one central database into which said suggestions are categorized based upon key words (paragraphs 0035, 0043-0045, 0055-0056, 0063).

16. As to claim 4, **Laurin** teaches the invention as claimed, wherein said mechanism comprises a page based dialog (figures 3, 9-12).

17. As to claim 5, **Laurin** teaches the invention as claimed, wherein said central portal comprises a Web page (paragraphs 0035, 0061).

18. As to claim 6, **Laurin** teaches the invention as claimed, further wherein: the mechanism for viewing said suggestions allows for peer viewing and/or comment before review of the suggestions (figures 3, 9-12, paragraphs 0002, 0040).

19. As to claim 7, **Laurin** teaches the invention as claimed, further comprising: a response module that automatically sends an acknowledgement to said submitting party when a suggestion is submitted by said submitting party (figures 9-10, paragraphs 0005-0011, 0052-0056).

20. As to claim 8, **Laurin** teaches the invention as claimed, wherein said acknowledgement comprises any of a Web based response and an email message (abstract, paragraphs 0005-0011, 0052-0056).

21. As to claim 10, **Laurin** teaches the invention as claimed, further comprising: a linking module for linking said suggestions to related suggestions, wherein related suggestions are cross-referenced to minimize entry of duplicate suggestions (paragraphs 0055-0056).

22. As to claim 11, **Laurin** teaches the invention as claimed, further comprising: an acknowledgement module for automatic emailing of specific types of suggestions to specific areas of responsibility within a company (abstract, paragraphs 0005-0011, 0052-0056).

23. As to claim 12, **Laurin** teaches the invention as claimed, further comprising: a status module that tracks progression of a suggestion through a review, comment, and approval process (paragraphs 0011, 0052-0056).



24. As to claim 37, **Laurin** teaches the invention as claimed, including an apparatus for receiving and processing suggestions, comprising:

central portal means for receiving suggestions from a submitting party on behalf of a receiving party a plurality of innovation zone means within said receiving party to which said suggestions can be routed (abstract, figures 1-2, paragraphs 0030-0032);

means for routing said suggestions to one or more of said innovation zones in response to an interaction with said submitting party ((abstract, figures 1-2, paragraphs 0032-0041); and

means for allowing any of said suggestions to be linked to any other of said suggestions (paragraphs 0055-0056).

#### **Claim Rejections - 35 USC § 103**

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. Claims 1, 9, 13-30, 32, 34-36, 38-56, and 58 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Laurin** U.S. Publication No. **US 2002/0107722**, in view of **Schloss** U.S. Patent No. **5,878,233**.

27. As to claim 1, **Laurin** teaches the invention as claimed, including an apparatus for receiving and processing suggestions for a company, comprising:

- a central portal for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

- a plurality of innovation zones within said receiving party to which said suggestions can be routed (abstract, figures 1-2, 4, paragraphs 00050010, 0032-0036), wherein said innovation zones comprise any of:

- a point of entry for employees within a specific business unit in a larger entity for submission of suggestions related to said business unit (abstract, figures 1-2, paragraphs 0008-0011);

- a central point of entry for ideas and suggestions (abstract, paragraphs 0005-0010);

- a point of entry for ideas on improving a specific aspect of said company (abstract, figure 3, paragraphs 0003-0010); and

- a point of entry for third party submissions (abstract, figures 3, 9-10);

- a mechanism that routes said suggestions to one or more of said innovation zones in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041);

- at least one central database into which said suggestions are categorized based upon key words (paragraphs 0035, 0043-0045, 0055-0056, 0063);

a mechanism for viewing said suggestions to allow peer viewing and/or comment before a final decision is made regarding the suggestions (figures 3, 9-12, paragraphs 0002, 0040);

a response module that automatically sends an acknowledgement to said submitting party when a suggestion is submitted by said submitting party, wherein said acknowledgement comprises any of a Web based response and an email message (figures 9-10, paragraphs 0005-0011, 0052-0056);

a linking module for linking said suggestions to related suggestions, wherein related suggestions are cross-referenced to minimize entry of duplicate suggestions (paragraphs 0055-0056);

an acknowledgement module for automatic emailing of specific types of suggestions to specific areas of responsibility within said company (abstract, paragraphs 0005-0011, 0052-0056);

a status module that tracks progression of a suggestion through a review, comment, and approval process (paragraphs 0011, 0052-0056); and

wherein said mechanism, comprises a page based dialog (figures 3, 9-12); and

wherein said central portal comprises a Web page (paragraphs 0035, 0061).

**Laurin** does not teach a statistics module that reports cumulative submissions in a predetermined format; and a point of entry for motivated submitters with an idea about how to change a business practice of said company. However, **Schloss** teaches a statistics module that reports cumulative submissions in a predetermined format (figures 3-4, col. 5, lines 58-col. 8, lines 43); and a point of entry for motivated submitters with an

idea about how to change a business practice of said company (figure 4, col. 7, lines 35-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a statistics module that reports cumulative submissions and a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that can control and keep track the number of submissions for rating, suggest or idea to improve the business, company or provider.

28. As to claim 9, **Laurin** teaches the invention as claimed, wherein said innovation zones comprise any of:

a point of entry for employees within a specific business unit in a larger entity for submission of suggestion related to said business unit (abstract, figures, 1-3, paragraphs 0003-0011);

a central point of entry for ideas and suggestions (abstract, paragraphs 0005-0010);

a point of entry for ideas on improving a specific aspect of said company (abstract, figure 3, paragraphs 0003-0010); and

a point of entry for third party submissions (abstract, figures 3, 9-10).

**Laurin** does not teach a point of entry for motivated submitters with an idea about how to change a business practice. However, **Schloss** teaches a point of entry for motivated submitters with an idea about how to change a business practice (figure 4,

col. 7, lines 35-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that motivate user can submit rating, suggest or idea to improve the business by awarding value to the user.

29. As to claim 13, **Laurin** does not teach the invention as claimed, further comprising: a statistics module that reports cumulative submissions in a predetermined format. However, **Schloss** teaches a statistics module that reports cumulative submissions in a predetermined format (figures 3-4, col. 5, lines 58-col. 8, lines 43). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a statistics module that reports cumulative submissions because it would have an efficient communications system that can control and keep track the number of submissions for rating, suggest or idea to improve the business.

30. As to claim 14, **Laurin** teaches the invention as claimed, including a network-based application that allows employees to submit suggestions and ideas for improving how a company does business, comprising:

a central portal for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

multiple points of entry comprising innovation groups within said receiving party to which said suggestions can be routed from said central portal and which can also receive said suggestions directly (abstract, figures 1-2, 4, paragraphs 00050010, 0032-0036); and

a mechanism that routes said suggestions to a most appropriate one or more of said multiple points of entry in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041);

wherein said multiple points of entry comprise any of: an entry portal, which is a single point of entry to said network based application (figures 3, 9-12);

a point of entry for employees within a specific business unit in a larger entity for submission of suggestions related to said business unit (abstract, figures, 1-3, paragraphs 0003-0011);

a central point of entry for ideas and suggestions (abstract, paragraphs 0005-0010);

a point of entry for viewing previously submitted suggestions and allowing a comment to be added to at least one of said previously submitted suggestions in lieu of a submission of a new suggestion (paragraphs 0040, 0051-0054). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made that **Laurin** implicitly discloses the user and reviewer can view the idea log from that user and the other users and or evaluators, implementers. The user can retrieve the idea and continue working on and develop the idea. If the idea is being implemented, the implementation is based on the user's proposal submission and any

addition suggestions/comments from other users and/or evaluators, decision makers implementers that equivalent to the step of viewing previously submitted and allowing a comment to be added to at least one of said previously submitted suggestions in lieu of a submission of a new suggestion as disclosed in the applicant's specification. A person of ordinary skill in the art would have recognized that **Laurin** performs the same function in substantially the same way to reach substantially the same result.

a point of entry for ideas on improving a specific aspect of said company (abstract, figure 3, paragraphs 0003-0010); and

a point of entry for third party submissions (abstract, figures 3, 9-10).

**Laurin** does not teach a point of entry for motivated submitters with an idea about how to change a business practice of said company. However, **Schloss** teaches a point of entry for motivated submitters with an idea about how to change a business practice of said company (figure 4, col. 7, lines 35-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that motivates <sup>to</sup> user ~~can~~ <sup>or to</sup> submit rating, suggest ~~an~~ idea to improve the business by awarding value to the user.

31. As to claim 15, **Laurin** teaches the invention as claimed, wherein for each suggestion any of the following types of information to be attached to said suggestion: a

review comment; a peer review comment; a link to a document or presentation; and a related idea (figures 3, 9-12, paragraphs 0002, 0055-0056).

32. As to claim 16, **Laurin** teaches the invention as claimed, including further comprising: a torchbearer function performed by an executive participant and advocate in said application (paragraphs 0064, 0077).

33. As to claim 17, **Laurin** teaches the invention as claimed, further comprising: a view module that allows viewing of a list of latest submissions (0052-0054). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made that **Laurin** implicitly discloses the user and reviewer can view the idea log from that user and the other users that equivalent to the step of viewing a list of submissions as disclosed in the applicant's specification. Moreover, once the system can retrieve the submission idea log at any specific time interval it can also retrieve a list of latest submission. A person of ordinary skill in the art would have recognized that **Laurin** performs the same function in substantially the same way to reach substantially the same result.

34. As to claim 18, **Laurin** teaches the invention as claimed, further comprising: a view module that, for said central portal, returns a list of submissions to all points of entry; and that, for said points of entry, returns a list of submissions to an appropriate innovation group (abstract, figures 1-3, 9-12, paragraphs 0002, 0032-0041).



35. As to claim 19, **Laurin** teaches the invention as claimed, further comprising: a search module that allows entry of search criteria to return a list of matching submissions (paragraphs 0055-0056).

36. As to claim 20, **Laurin** does not explicitly teach the invention as claimed; however, **Schloss** teaches a search for submissions a user has submitted; a search for submissions said user has saved but not submitted; and a search of an implementation zone for ideas that have been approved, but for which there are no current resources to implement (abstract, col. 5, lines 52-col. 9, lines 9). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a search module for searching submission status of user's idea submissions because it would have an efficient system that have an capability to search and provide the search results to the searcher's desired.

37. As to claim 21, **Laurin** teaches the invention as claimed, further comprising: a submission dialog comprising one or more qualification questions (paragraph 0040).

38. As to claim 22, **Laurin** teaches the invention as claimed, wherein said one or more qualification questions determine a submitting party's desired degree of

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ownership of an implementation process for said submitting party's suggestion (figure 2, paragraphs 0036-0040).

39. As to claim 23, **Laurin** does not explicitly teach the invention as claimed; however, **Schloss** teaches an adoption module for soliciting sponsorship of an unowned suggestion (col. 5, lines 52-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have an adoption module for soliciting sponsorship of an unowned suggestion because it would have an efficient communication system that have a capability to control the access and provide an authorization and solicitation suggestions and ideas to improve the business.

40. As to claim 24, **Laurin** does not explicitly teach the invention as claimed; however, **Schloss** teaches: a steering committee that receives, reviews, and disposes of suggestions (col. 5, lines 52-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have the same motivation as set forth in claim 23..

41. As to claim 25, **Laurin** teaches the invention as claimed, further comprising: a peer rating module that allows individuals to rate suggestions (figures 3, 9-12, paragraph 0002).

42. As to claim 26, **Laurin** does not explicitly teach the invention as claimed; however, **Schloss** teaches a statistics module by which statistics are provided based upon suggestions submitted over various time intervals and by point of entry (figures 3-4, col. 5, lines 58-col. 8, lines 43). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a statistics module to provide statistic based upon suggestions submitted over various time intervals and by point of entry because it would have an efficient communications system that can control and keep track the number of submissions for rating, suggest or idea to improve the business.

43. As to claim 27, **Laurin** teaches the invention as claimed, further comprising: a status table for displaying actions taken or to be taken, based upon any of point of entry and category (paragraphs 0011, 0052-0056).

44. As to claim 28, **Laurin** teaches the invention as claimed, further comprising: a related suggestion link wherein a related suggestion is located and a user is asked to confirm if said suggestion is similar to a suggestion submitted or to be submitted by said user or not and, if not, optionally to indicate why (0051-0064).

45. As to claim 29, **Laurin** teaches the invention as claimed, further comprising: a dialog by which customer testimonials are captured (figures 3, 9-12).

46. As to claim 30, **Laurin** teaches the invention as claimed, further comprising: a link within a network page that takes a user directly to a suggestion submission dialog (figures 3, 9-12, paragraphs 0055-0056).

47. As to claim 32, **Laurin** teaches the invention as claimed, further comprising: a page that provides contact information (paragraphs 0011-0012, 0030).

48. As to claim 34, **Laurin** teaches the invention as claimed, including a storage medium comprising a computer implemented process stored therein, said process comprising a network-based application that allows employees to submit suggestions and ideas for improving how a company does business, said process comprising:

providing multiple portals (figure 1); and

directing suggestions to a most appropriate portal, such that they are considered by most appropriate persons (abstract, figures 1-2, paragraphs 0032-0041); and

allowing viewing and comment on said suggestions before the suggestions are considered (figures 3, 9-12, paragraphs 0002, 0040).

49. As to claim 35, **Laurin** teaches the invention as claimed, including said process further comprising:

providing a central portal for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

providing multiple points of entry comprising innovation groups within said receiving party to which said suggestions can be routed from said central portal and which can also receive said suggestions directly (abstract, figures 1-2, paragraphs 0005-0010, 0032-0041); and

providing a mechanism that routes said suggestions to a most appropriate one or more of said multiple points of entry in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041).

50. As to claim 36, **Laurin** teaches the invention as claimed, wherein said multiple points of entry comprise any of:

an entry portal, which is a single point of entry to said network-based application (abstract, figures 1-2, paragraphs 0030-0032);

a point of entry for employees within a specific business unit in a larger entity for submission of suggestions related to said business unit (abstract, figures 1-2, paragraphs 0008-0011);

a central point of entry for ideas and suggestions (abstract, paragraphs 0005-0010);

a point of entry for ideas on improving a specific aspect of said company (abstract, figure 3, paragraphs 0003-0010); and

a point of entry for third party submissions (abstract, figures 3, 9-10).

**Laurin** does not teach a point of entry for motivated submitters with an idea about how to change said company's business. However, **Schloss** teaches a point of entry for

motivated submitters with an idea about how to change said company's business (figure 4, col. 7, lines 35-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that can control, keep track and motivate user to submit the rating, suggest or idea to improve the business, company or provider.

51. As to claim 38, **Laurin** teaches the invention as claimed, including a network-based application that allows employees to submit suggestions and ideas for improving how a company does business, comprising:

a central portal means for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

multiple points of entry comprising innovation groups within said receiving party to which said suggestions can be routed from said central portal and which can also receive said suggestions directly (abstract, figures 1-2, paragraphs 0005-0010, 0032-0041); and

means for routing said suggestions to a most appropriate one or more of said multiple points of entry in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041);

wherein said multiple points of entry comprise any of: an entry portal, which is a single point of entry to said network based application (abstract, figures 1-2, paragraphs 0030-0032);

a point of entry for employees within a specific business unit in a larger entity for submission of suggestions related to said business unit (abstract, figures 1-2, paragraphs 0008-0011);

a central point of entry for ideas and suggestions (abstract, paragraphs 0005-0010);

a point of entry for ideas on improving a specific aspect of said company (); and a point of entry for third party submissions (abstract, figure 3, paragraphs 0003-0010); and

a point of entry for third party submissions (abstract, figures 3, 9-10).

**Laurin** does not teach a point of entry for motivated submitters with an idea about how to change said company's business. However, **Schloss** teaches a point of entry for motivated submitters with an idea about how to change said company's business (figure 4, col. 7, lines 35-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that can control, keep track and motivate user to submit the rating, suggest or idea to improve the business, company or provider.

52. As to claim 39, **Laurin** teaches the invention as claimed, including a process for receiving and processing suggestions, comprising:

providing a central portal for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

providing a plurality of innovation zones within said receiving party to which said suggestions can be routed (abstract, figures 1-2, paragraphs 0005-0010, 0032-0041);

routing said suggestions to one or more of said innovation zones in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041);  
and

allowing the submitting party to view previous suggestions, such as the submitting party can choose to comment on a existing suggestion instead of submitting a new suggestion (paragraphs 0040, 0051-0054). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made that **Laurin** implicitly discloses the user and reviewer can view the idea log from that user and the other users and or evaluators, implementers. The user can retrieve the idea and continue working on and develop the idea. If the idea is being implemented, the implementation is based on the user's proposal submission and any addition suggestions/comments from other users and/or evaluators, decision makers implementers that equivalent to the step of allowing the submitting party to view previous suggestions, such as the submitting party can choose to comment on a existing suggestion instead of submitting a new suggestion as disclosed in the applicant's specification. A person of ordinary skill in the art would have recognized that



**Laurin** performs the same function in substantially the same way to reach substantially the same result.

53. As to claim 40, **Laurin** teaches the invention as claimed, including a network-based process that all employees to submit suggestions and ideas for improving how a company does business, comprising:

providing a central portal for receiving suggestions from a submitting party on behalf of a receiving party (abstract, figures 1-2, paragraphs 0030-0032);

providing multiple points of entry comprising innovation groups within said receiving party to which said suggestions can be routed from said central portal and which can also receive said suggestions directly (abstract, figures 1-2, paragraphs 0005-0010, 0032-0041); and

routing said suggestions to a most appropriate one or more of said multiple points of entry in response to an interaction with said submitting party (abstract, figures 1-2, paragraphs 0032-0041);

wherein said multiple points of entry comprise any of: an entry portal, which is a single point of entry to said network based application (abstract, figures 1-2, paragraphs 0030-0032);

a point of entry for employees within a specific business unit in a larger entity for submission of suggestions related to said business unit (abstract, figures 1-2, paragraphs 0008-0011);

a central point of entry for ideas and suggestions (abstract, paragraphs 0005-0010);

a point of entry for ideas on improving a specific aspect of said company (abstract, figure 3, paragraphs 0003-0010); and

a point of entry for third party submissions (abstract, figures 3, 9-10).

**Laurin** does not teach a point of entry for motivated submitters with an idea about how to change said company's business. However, **Schloss** teaches a point of entry for motivated submitters with an idea about how to change said company's business (figure 4, col. 7, lines 35-col. 8, lines 13). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin and Schloss** to have a point of entry for motivated submitters with an idea about how to change said company's business because it would have an efficient communications system that can control, keep track and motivate user to submit the rating, suggest or idea to improve the business, company or provider.

54. As to claim 41-56, and 58 they are system claims directed to a process that allows employees to submit suggestions and ideas for improving a business of method claims 15-30 and 32. Claims 41-56, and 58 have similar limitations to claims 15-30 and 32; therefore, they are rejected under the same rationale.

55. Claims 31, 33, 57 and 59 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Laurin** U.S. Publication No. **US 2002/0107722**, and **Schloss** U.S. Patent No. **5,878,233**, further in view of **Ginn** U.S. Patent No. **6,275,811**.

56. As to claim 31, **Laurin and Schloss** do not explicitly teach the invention as claimed; however, **Ginn** teaches an incentive module that implements an incentive program (abstract, col. 2, lines 50-col. 3, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin, Schloss and Ginn** to have an incentive module that implements an incentive program because it would have an efficient communications system that can control, keep track and motivate user for submitting of rating, suggest or idea to improve the business.

57. As to claim 33, **Laurin and Schloss** do not explicitly teach the invention as claimed; however, **Ginn** teaches an award module with which award winners are listed (abstract, col. 2, lines 50-col. 3, lines 64). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of **Laurin, Schloss and Ginn** to have an award module with which award winners are listed because it would have an efficient communications system that can control, keep track and motivate user for submitting of rating, suggest or idea to improve the business.

58. As to claim 57 and 59, they are system claims directed to a process that allows employees to submit suggestions and ideas for improving a business of method claims 31 and 33. Claims 57 and 59 have similar limitations to claims 31 and 33; therefore, they are rejected under the same rationale.

### **Conclusion**

59. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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60. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703) 305-7447. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached at (703) 308-6662.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Thu Ha Nguyen

September 3, 2004

  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**